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9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES - CENTRAL DISTRICT**
11

12 Coordination Proceeding) Judicial Council Coordination Proceeding
Special Title (Rule 1550(b))) No. 4408
13)
14 **ANTELOPE VALLEY**) (For Filing Purposes Only: Santa Clara
GROUNDWATER CASES) County Case No.: 1-05-CV-049053)
15 Included Actions:) Assigned for All Purposes To:
Judge: Hon. Jack Komar
16 *Los Angeles County Waterworks District*) (Filing Fees Exempt, Per Gov't Code § 6103)
No. 40 v.)
17 *Diamond Farming Co., et al.*)
Los Angeles County Superior Court, Case)
18 No. BC 325 201) **PHELAN PIÑON HILLS COMMUNITY**
Services District's Objections
Pursuant to the Court's
19 *Los Angeles County Waterworks District*) **FOURTH AMENDMENT TO CASE**
No. 40 v.) **MANAGEMENT ORDER FOR PHASE**
20 *Diamond Farming Co., et al.*) **FOUR TRIAL**
Kern County Superior Court, Case No.)
21 S-1500-CV-254-348)
22)
23 *Wm. Bolthouse Farms, Inc. v. City of*)
Lancaster)
24 *Diamond Farming Co. v. City of Lancaster*)
Diamond Farming Co. v. Palmdale Water)
25 *Dist.*)
Riverside County Superior Court,)
26 Consolidated Action, Case Nos. RIC 353
840, RIC 344 436, RIC 344 668)
27)
28 **AND RELATED CROSS-ACTIONS**)

1 TO THE HONORABLE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF
2 RECORD HEREIN:

3 Phelan Piñon Hills Community Services District (“PPHCSD”) hereby submits the following
4 specific objections pursuant to the Court’s Fourth Amendment To Case Management Order For
5 Phase Four Trial dated April 30, 2013 (“Fourth Amendment To CMO”).

6 PPHCSD objects to the claims asserted for Phase 4 by Bolthouse Properties, LLC and Wm.
7 Bolthouse Farms, Inc. (collectively, “Bolthouse”), as stated by Bolthouse in its various disclosures,
8 declarations, and, supplemental information electronically served via the Court’s website, as well
9 as testified to by Bolthouse in its depositions on April 22 and 23, 2013 (the “Claims”).

10 PPHCSD objects to the Claims in their entirety, factually and based upon evidentiary
11 objections including a lack of foundation, with specific reference to the quantity of water sought to
12 be established by Bolthouse and Bolthouse’s purported basis for that quantity(s). The Claims lack
13 foundational documents and testimony, particularly as given by Bolthouse Properties, LLC’s
14 President during deposition that the Claims are created from other non-disclosed documents
15 received from Wm. Bolthouse Farms, Inc. *and* that the Claims contain errors.

16 Bolthouse’s Claims far exceed the quantity of water that would be expected for the uses and
17 annual crop cycles for those crops, and Bolthouse’s Claims are inconsistent with Bolthouse’s
18 Annual Notices of Groundwater Extraction and Diversion submitted to the State Water Resources
19 Control Board (“Notices”), for the limited years Bolthouse submitted Notices. PPHCSD’s
20 designated expert, Thomas E. Harder, is knowledgeable of the above, having relied upon his
21 training and experience to review the Claims, the Notices, and preparation of visual aids that
22 challenge the Claims.

23 Dated: May 3, 2013

ALESHIRE & WYNDER, LLP

24
25 By: 

26 Wesley A. Miliband
27 Attorneys for Cross-Defendant and
28 Cross-Complainant,
Phelan Piñon Hills Community
Services District

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3 **PROOF OF SERVICE**

4 I, Marie Young,

5 I am employed in the County of Orange, State of California. I am over the age of 18 and
6 not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700,
Irvine, CA 92612.

7 On May 3, 2013, I served the within document(s) described as **PHELAN PIÑON HILLS**
8 **COMMUNITY SERVICES DISTRICT'S OBJECTIONS PURSUANT TO THE COURT'S**
9 **FOURTH AMENDMENT TO CASE MANAGEMENT ORDER FOR PHASE FOUR**
10 **TRIAL** as follows:

11 (ELECTRONIC SERVICE) By posting the document(s) listed above to the Santa Clara
12 County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the
13 Court's Clarification Order. Electronic service and electronic posting completed through
14 www.scefiling.org.

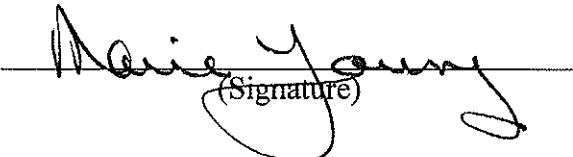
15 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
16 addressed as set forth above. I placed each such envelope for collection and mailing following
17 ordinary business practices. I am readily familiar with this Firm's practice for collection and
18 processing of correspondence for mailing. Under that practice, the correspondence would be
19 deposited with the United States Postal Service on that same day, with postage thereon fully
20 prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the
21 party served, service is presumed invalid if postal cancellation date or postage meter date is more
22 than one day after date of deposit for mailing in affidavit.

23 (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained
24 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by
25 said express service carrier to receive documents, a true copy of the foregoing document(s) in a
26 sealed envelope or package designated by the express service carrier, addressed as set forth above,
27 with fees for overnight delivery paid or provided for.

28 Executed on May 3, 2013, at Irvine, California.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Marie Young
(Type or print name)


(Signature)